

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**CARY W. DRAKE,**

*Plaintiff,*

**v.**

**WELLS FARGO BANK N.A., et al.,**

*Defendants.*

**Civil Action No. 16-8797**

**ORDER**

**ARLEO, UNITED STATES DISTRICT JUDGE**

**THIS MATTER** having come before the Court on Plaintiff Cary W. Drake's ("Plaintiff's") request for leave of the Court to file additional amendments to Plaintiff's Amended Complaint, ECF No. 13;

and it appearing that Plaintiff filed an initial Complaint on November 28, 2016 and an Amended Complaint on June 6, 2017, without leave of the Court or consent of Defendants as required under Fed. R. Civ. P. 15(a)(2);

and it appearing that Plaintiff has not served either the Complaint or the Amended Complaint upon the named Defendants as set forth under Fed. R. Civ. P. 4;

and it appearing that the Court has issued two notices of call for dismissal pursuant to Fed. R. Civ. P. 4(m) on May 5, 2017 and January 18, 2018;

and it appearing, pursuant to Fed. R. Civ. P. 15(a)(2), that a "court should freely give leave when justice so requires";

and it appearing that Plaintiff is proceeding pro se in this matter;

**IT IS** on this 23<sup>rd</sup> day of February, 2018;

**ORDERED** that Plaintiff's request is granted and Plaintiff may file a Second Amended Complaint within 30 days of this Order; and it is further

**ORDERED** that Plaintiff shall serve all named Defendants within 30 days after such filing or this matter will be dismissed pursuant to Fed. R. Civ. P. 4(m); and it is further

**ORDERED** that Plaintiff must request and obtain leave from the Court before filing any further motions to amend.

/s Madeline Cox Arleo  
**MADELINE COX ARLEO**  
**UNITED STATES DISTRICT JUDGE**